

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
 )  
 v. ) Case No.: 2:07-cr-140-WKW  
 )  
**ISIDRO MONTOYA-MORENO** )

**MOTION TO EXPEDITE SENTENCING**

**COMES NOW** the defendant, **ISIDRO MONTOYA-MORENO**, by Undersigned Counsel, Donnie W. Bethel, and respectfully moves this court to expedite his sentencing hearing.

1. Mr. Montoya-Moreno was charged in a one-count indictment on July 18, 2007, with being an alien who illegally re-entered and was found in the United States after having been previously deported, in violation of 8 U.S.C. § 1326.

2. Undersigned counsel has discussed this case with United States Probation Officer Stan Robinson, who is assigned to draft the Presentence Investigation Report. Based on his review of the report compiled by the pretrial services officer, including an interview of Mr. Montoya-Moreno, Mr. Robinson has concluded that he need not conduct an additional interview of Mr. Montoya-Moreno, and that this case is appropriate for expedited sentencing.

3. The parties believe that Mr. Montoya-Moreno will fall within a United States Sentencing Guidelines Manual guideline range in Zone A of zero to six months. If this is the case, the Plea Agreement calls for a sentence of "time served."

4. The Immigration and Customs Enforcement Agency has placed an immigration

detainer on the defendant; therefore, it is certain that he will be deported as soon as his sentence is imposed.

**WHEREFORE, FOR THE REASONS ABOVE,** Mr. Montoya-Moreno respectfully requests that this Motion be granted and that this Court schedule a sentencing hearing at the Court's earliest convenience.

Dated this 9th day of August, 2007.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: [don\\_bethel@fd.org](mailto:don_bethel@fd.org)  
IN Bar Code: 14773-49

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Christa D. Deegan, Esq., Assistant United States Attorney.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: [don\\_bethel@fd.org](mailto:don_bethel@fd.org)  
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